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TAGS: [PREL](#) [PGOV](#) [NATO](#) [HR](#)  
SUBJECT: PAHOR-SANADER MEETING: NO PROGRESS ON  
SLOVENIAN-CROATIAN BORDER ISSUE

REF: ZAGREB 00069

Classified By: Ambassador Robert A. Bradtke for reasons 1.5(b)  
& (d)

¶1. (C) Summary. In a February 24 meeting with the Ambassador, Croatian Foreign Minister Jandrovic reported that the talks earlier in the day between Croatian Prime Minister Sanader and Slovene Prime Minister Pahor resulted in no progress on the Croatian-Slovenian border issue and the related issues of Croatia's accession to the EU and NATO. Jandrovic described the atmosphere of the meeting as "tense" and "difficult," with each side repeating well-known positions. Jandrovic reiterated the Croatian position that the border issue should be arbitrated by the International Court of Justice, rather than left to a "political" decision as proposed by the EU Commission. On NATO and the threatened Slovene referendum on Croatia's accession, Pahor reportedly complained to Sanader that Croatia does not appreciate his internal political problems, and warned that the signature campaign for a referendum could gather increased strength. Jandrovic said that he and his Slovene counterpart Samuel Zbogar would meet next week on the margins of the NATO ministerial, and that another Sanader-Pahor meeting would take place in Croatia. End Summary.

¶2. (C) In a late evening, one-on-one meeting on February 24, Croatian Foreign Minister Jandrovic provided the Ambassador with a readout on the meeting that took place earlier in the day between Croatian Prime Minister Sanader and Slovene Prime Minister Pahor in the Slovene town of Mokrice. A somewhat dispirited Jandrovic began by describing the atmosphere of the meeting as "tense" and "difficult." According to Jandrovic, Pahor presented the Croatians with an "ultimatum." Unless the border issue was resolved, Slovenia would continue to block Croatia's accession to the EU. Jandrovic noted that in fact, Slovenia had blocked that day the closing of another chapter in the negotiations, Chapter 6 on corporate law.

¶3. (C) Pahor insisted, Jandrovic said, that documents submitted by Croatia in the EU accession process would prejudice the outcome of any mediation or arbitration on the border issue. Sanader countered by asking Pahor why documents submitted by Slovenia in its accession to the EU did not prejudice the border, showing Pahor a Slovene map that included the entire Piran Bay as part of Slovenia. The two Prime Ministers also disagreed on the proposal by EU Commissioner Rehn for mediation of the border dispute. Pahor told Sanader that he would take the Rehn proposal to the Slovene parliament for its endorsement. Sanader argued for arbitration by the International Court of Justice (ICJ) and the continuation of the bilateral commission, which he and Pahor's predecessor Janez Jansa had established in the August 2007 Bled agreement.

¶4. (C) On the threatened Slovene referendum on Croatia's

accession to NATO, Pahor expressed his government's support for Croatian membership in NATO, but told Sanader he was dealing with difficult internal political problems. Jandrovkovic described Pahor as complaining to Sanader that Croatia did not appreciate everything that he was doing for Croatia, a comment that did not go down well with Sanader given Slovenia's problems with the ratification process. Pahor also warned that Slovene nationalist leader Podobnik, who had agreed to abandon his support for the referendum, was now reconsidering engaging in the effort to gather enough signatures to force a vote. This information, Jandrovkovic said, caused considerable concern on the Croatian side that the referendum campaign might actually succeed.

¶5. (C) Commenting on the talks, Jandrovkovic expressed deep concern that Croatia would find itself blocked by Slovenia in both NATO and the EU. It was difficult to see how the differences over the border as well as over the process by which those differences should be addressed could be resolved. On the Rehn proposal, Jandrovkovic said that during the meeting last week in Brussels with Rehn and Zbogar, Rehn had presented a slight alteration to his proposal (reftel). Rehn had added a brief mention of the process being carried out "in keeping with international law" but had also changed the proposal so that only some of the blocked chapters would be unblocked. Jandrovkovic complained that the Rehn proposal was still too vague.

¶6. (C) More importantly, Jandrovkovic said that Croatia did not understand why the EU was rejecting Croatia's proposal that the International Court of Justice arbitrate the dispute. The EU tells us, Jandrovkovic complained, about the importance of rule of law and our cooperation with the International Tribunal in the Hague (ICTY), yet it will not support arbitration by the ICJ and prefers a "political"

process, i.e. the Rehn proposal, to determine the border. Another problem with the Rehn proposal, Jandrovkovic noted, was that it provides no real guarantee that any decision it reached on the border would be accepted by Slovenia. What, Jandrovkovic asked, was to prevent a referendum in Slovenia to reject an unfavorable outcome or to keep Croatia from joining the EU?

¶7. (C) In conclusion, Jandrovkovic said that for the present Croatia would stay focused on finishing the NATO ratification process. Perhaps after Slovenia's ratification there would be "greater confidence" on the Croatian side and some way might be found to deal with EU accession problem. One possibility, he opined, would be to find some third body, other than the ICJ or the group proposed by Rehn, to arbitrate the dispute. Jandrovkovic noted that he would be meeting Slovenian FM Zbogar in Brussels on the margins of next week's NATO Ministerial, and that the two Prime Ministers had agreed to meet again in Croatia at a date to be determined.

¶8. (C) Responding to Jandrovkovic's comments, the Ambassador stressed that the United States would continue to work for completion of the NATO ratification process and Croatia's attendance at the April Summit as a full member of NATO. The Ambassador also urged that the Croatian government continue to exercise restraint in making comments that may play negatively in Slovenia and have an impact on the referendum campaign. Finally, the Ambassador welcomed the continuation of direct bilateral contacts between the two countries. It was important, he noted, that the publics in both countries see their leaders talking to one another.

¶9. (C) Comment. It is not surprising that there was no progress on the substance of the Croatian-Slovenian dispute, but it is troubling that the atmosphere at the meeting was so poor. For now, we believe that the U.S. focus has to be on NATO and completing the ratification process. Without that, the problems in trying to encouraging progress on the EU track may well be insurmountable.

BRADTKE